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U.S. DISTRICT COURT, E.D.N.Y.

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JUL 18 2005

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UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK

GARDEN CITY BOXING CLUB, INC.,
as Broadcast Licensee of the September 18, 2004
DeLaHoya/Hopkins, Program,

P.M. _____
TIME A.M. _____

Plaintiff,

-against-

~~PROPOSED~~ **DEFAULT JUDGMENT**
Civil Action No. CV-05-1044 (FB/MDG)
Honorable Frederic Block

CARMEN BATISTA, *et al.*,

Defendant.

The Summons and Complaint in this action having been duly served upon the Defendants,
**CARMEN BATISTA, Individually, on March 18, 2005 and 3175 FULTON RESTAURANT
CORP. d/b/a EL GRAN MAR DE PLATA a/k/a EL GRAND MAR DE PLATA
RESTAURANT on March 15, 2005** and said Defendants having failed to plead or otherwise appear
in this action,

NOW, on motion of JULIE COHEN LONSTEIN, of counsel to LONSTEIN LAW OFFICE
P.C., attorneys for the Plaintiff, it is hereby

ORDERED, ADJUDGED AND DECREED that Defendant, any of his servants,
employees, agents, persons acting in concert with him or acting on his behalf are hereby permanently
enjoined and restrained from engaging in the unauthorized reception and interception, whether by
air or cable, of Plaintiff's programming, signals or services, or in aiding and abetting any such acts,
and are hereby permanently enjoined and restrained from connecting to, attaching, splicing into,
tampering with or in any way using Plaintiff's cable wiring without Plaintiff's authorization, and are
hereby permanently enjoined and restrained from manufacturing, selling, purchasing, obtaining,
using, or possessing any device or equipment capable of unscrambling, intercepting, receiving.

decoding, transmitting, providing, or making available all or part of Plaintiff's programming or services without Plaintiff's express authorization, it is further,

ORDERED AND ADJUDGED that Garden City Boxing Club, Inc., the Plaintiff, does recover ~~jointly and severally of~~ **DAMAGES, PLUS COSTS AND ATTORNEY'S FEES TO BE DETERMINED BY N.J. GO AFTER A HEARING OR INQUEST. THE NJ WILL THEN PREPARE A REPORT & RECOMMENDATION AS TO HER FINDINGS.**
~~CARMEN BATISTA, Individually~~

- 1) ~~under 605(e)(3)(C)(i)(II) in the sum of TEN THOUSAND DOLLARS (\$10,000.00)~~
- 2) ~~and under 605(e)(3)(C)(ii) a sum of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) for enhanced damages for Defendant's willful violation of 605(a)~~
- 3) ~~and under 605(e)(3)(B)(iii) costs and Attorney fees of ONE THOUSAND FIFTEEN DOLLARS. (\$1015.00)~~

~~3175 FULTON RESTAURANT CORP. d/b/a EL GRAN MAR DE PLATA a/k/a EL GRAND MAR DE PLATA RESTAURANT~~

- 1) ~~under 605(e)(3)(C)(i)(II) in the sum of TEN THOUSAND DOLLARS (\$10,000.00)~~
- 2) ~~and under 605(e)(3)(C)(ii) a sum of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) for increased damages for Defendant's willful violation of 605(a)~~
- 3) ~~and under 605(e)(3)(B)(iii) costs and Attorney fees of ONE THOUSAND FIFTEEN DOLLARS. (\$1015.00)~~

ORDERED AND ADJUDGED that pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, there is no just reason for delay in this Default Judgment as the interest of justice require the issuance of judgment as requested without further delay and that Plaintiff is entitled to post-judgment interest at the legal rate until

Dated: 7/11, 2005

HONORABLE FREDERIC BLOCK
United States District Judge